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* Admitted in NY only
** Passed the Patent Bar Examination

July 24, 2001

Commissioner for Patents
Washington, D.C. 20231

Attn: Initial Patent Examination Division
Customer Service Center


Re: U.S. Patent Application Serial No. 09/805,785
Title: "Methods and Reagents for Preservation of DNA in Bodily Fluids"
Inventor: Tony Baker
Filing Date: March 13, 2001
Attorney Docket No. SDB-001CN

Dear Sir:

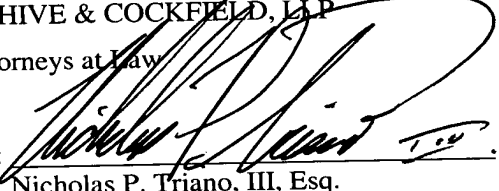
I enclose herewith for filing in the above-identified application the following:

1. Preliminary Amendment and Response to Notice to File Corrected Application Papers;
2. Transmittal of Drawings (*in duplicate*);
3. Fourteen (14) Sheets of Drawing (*Figures 1-18G*);
4. Paper Copy of the Sequence Listing (*page 1*);
5. Transmittal Letter for Diskette Containing Sequence Listing;
6. Diskette Containing Sequence Listing;
7. Copy of the Notice to File Corrected Application Papers; and
8. Prepaid acknowledgement postcard.

Please charge any necessary fees and credit any overpayments to our Deposit Account No. 12-0080. The undersigned requests any extensions of time necessary to respond. A *duplicate of this sheet is enclosed.*

"Express Mail" mailing label number <u>EL 683 637 995 US</u>	
Date of Deposit	<u>July 24, 2001</u>
I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, Washington, D.C. 20231, Attn: Initial Patent Examination Division, Customer Service Center	
	
Signature	<u>Larry Taylor</u>
Please Print Name of Person Signing: <u>Larry Taylor</u>	

LAHIVE & COCKFIELD, LLP
Attorneys at Law

By: 
Nicholas P. Triano, III, Esq.
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28 State Street
Boston, MA 02109
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Facsimile: 617-742-4214



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Tony Baker

Application No.: 09/805,785

Filed: March 13, 2001

For: *Methods and Reagents for Preservation of
DNA in Bodily Fluids*

Attorney Docket No.: SDB-001CN

Group Art Unit: Not Yet Assigned

Examiner: Not Yet Assigned

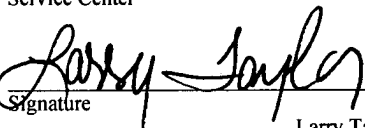
**Commissioner for Patents
Washington, D.C. 20231**

**Attn: Initial Patent Examination Division
Customer Service Center**

TRANSMITTAL OF SUBSTITUTE DRAWINGS

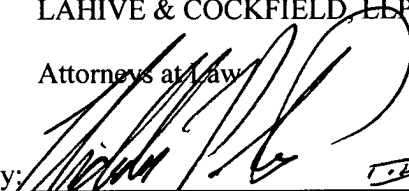
Dear Sir:

In response to the Notice to File Corrected Application Papers mailed May 24, 2001, enclosed herewith are fourteen (14) sheets of Substitute Drawings (Figures 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18A, 18B, 18C, 18D, 18E, 18F, and 18G). Applicant respectfully submits that the *substitute* drawings are in compliance with 37 C.F.R. §1.84. Applicant requests that the drawings be filed in the above-referenced patent application. A copy of Notice to File Corrected Application Papers is also enclosed. *No new matter has been added.*

"Express Mail" mailing label number EL 683 637 995 US
Date of Deposit July 24, 2001
I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, Washington, D.C. 20231, Attn: Initial Patent Examination Division, Customer Service Center

Signature Larry Taylor
Please Print Name of Person Signing: Larry Taylor

LAHIVE & COCKFIELD, LLP

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Date: **July 24, 2001**



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
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WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/805,785	03/13/2001	Tony Baker	SDB-001CN

000959
LAHIVE & COCKFIELD
28 STATE STREET
BOSTON, MA 02109

 **COPY**

CONFIRMATION NO. 2845
FORMALITIES LETTER



OC000000006115658

Date Mailed: 05/24/2001

NOTICE TO FILE CORRECTED APPLICATION PAPERS

Filing Date Granted

This application has been accorded an Application Number and Filing Date. The application, however, is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given **TWO MONTHS** from the date of this Notice within which to correct the informalities indicated below. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a)

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

The following item(s) appear to have been **omitted** from the application:

- Figure(s) **19** described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (i.e., the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

*A copy of this notice **MUST** be returned with the reply.*



 Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE